

Virginia Administrative Code
Title 2. Agriculture
Agency 5. Department of Agriculture and Consumer Services
Chapter 210. Rules and Regulations Pertaining to Meat and Poultry Inspection under the Virginia Meat and Poultry Products Inspection Act

2VAC5-210-10. Adoption by Reference.

Part I. Adoption by Reference

The rules and regulations governing the meat and poultry inspection of the United States Department of Agriculture specified in this part, as contained in Title 9, Chapter III, Subchapters A and E of the Code of Federal Regulations, as it exists and has been published in the January 1, 2013, update with amendments and with administrative changes therein as needed to make them appropriate and applicable to intrastate operations and transactions subject to the Virginia Meat and Poultry Products Inspection Act, are hereby adopted by reference.

Statutory Authority

§ [3.2-5406](#) of the Code of Virginia.

Historical Notes

Derived from VR115-02-19 § 1.1, eff. March 25, 1993; amended, [Volume 13, Issue 12](#), eff. February 5, 1997; [Volume 22, Issue 24](#), eff. July 19, 2006; [Volume 29, Issue 16](#), eff. May 8, 2013.

2VAC5-210-20. Definitions.

The following words and terms when used in this part shall have the following meanings unless the context clearly indicates otherwise:

"Act" means the Virginia Meat and Poultry Products Inspection Act (§ [3.2-5400](#) et seq. of the Code of Virginia).

"Administrator" means the Director of the Division of Animal and Food Industry Services, or any other officer or employee of the department to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

"Commerce" means commerce within the Commonwealth of Virginia.

"Department" means the Virginia Department of Agriculture and Consumer Services.

"Federal" means "Virginia."

"Federally inspected and passed" means Virginia inspected and passed.

"Interstate" means intrastate.

"Program" means the Office of Meat and Poultry Services, Virginia Department of Agriculture and Consumer Services.

"Secretary" means the Commissioner of Agriculture and Consumer Services.

"Food Safety Inspection Service" means the Virginia meat and poultry inspection program.

"United States" or "U.S." means "Virginia."

"U.S. Brands and Legends" means "Virginia Brands and Legends."

Statutory Authority

§ [3.2-5406](#) of the Code of Virginia.

Historical Notes

Derived from VR115-02-19 § 1.2, eff. March 25, 1993; amended, [Volume 13, Issue 12](#), eff. February 5, 1997; [Volume 22, Issue 24](#), eff. July 19, 2006; [Volume 25, Issue 11](#), eff. March 4, 2009.

2VAC5-210-30. Mandatory Meat and Poultry Products Inspection and Voluntary Inspection and Certification.

The Commissioner of the Department of Agriculture and Consumer Services hereby adopts the following provisions of Title 9, Chapter III, Subchapter A of the Code of Federal Regulations as described in [2VAC5-210-10](#) :

Subchapter A -- Agency organization and terminology; mandatory meat and poultry products inspection and voluntary inspection and certification.

Part 302. Application of inspection and other requirements.

Part 303. Exemptions.

Any establishment, firm, person or corporation operating under Section 303.1(a)(2) of this subchapter is required to apply for and receive a permit of exemption in accordance with requirements set forth by the Commissioner of Agriculture and Consumer Services or his delegate.

Part 304. Application for inspection; grant or refusal of inspection.

Part 305. Official numbers; inauguration of inspection; withdrawal of inspection; reports of violation.

Part 306. Assignment and authorities of program employees.

Part 307. Facilities for inspection.

Part 309. Ante-mortem inspection.

Part 310. Post-mortem inspection.

Part 311. Disposal of diseased or otherwise adulterated carcasses and parts.

Part 312. Official marks, devices and certificates.

Part 313. Humane slaughter of livestock.

Part 314. Handling and disposal of condemned or other inedible products at official

establishments.

Part 315. Rendering or other disposal of carcasses and parts passed for cooking.

Part 316. Marking products and their containers.

Part 317. Labeling, marking devices, and containers.

Part 318. Entry into official establishments; reinspection and preparation of products.

Part 319. Definitions and standards of identity or composition.

Part 320. Records, registration, and reports.

Part 325. Transportation.

Part 329. Detention; seizure and condemnation; criminal offenses.

Part 335. Rules of practice governing proceedings under the federal Meat Inspection Act.

Part 350. Special services relating to meat and other products.

Part 352. Exotic animals; voluntary inspection.

Part 354. Voluntary inspection of rabbits and edible products thereof.

Part 355. Certified products for dogs, cats, and other carnivora; inspection, certification, and identification as to class, quality, quantity, and condition.

Part 362. Voluntary poultry inspection regulations.

Part 381. Poultry products inspection regulations.

Subpart B. Administration; application of inspection and other requirements. Deleting Section 381.5-Publications.

Subpart C. Exemptions.

Any establishment, firm, person or corporation operating under § 381.10 (5), (6) or (7) of this subchapter is required to apply for and receive a permit of exemption in accordance with requirements set forth by the Commissioner of Agriculture and Consumer Services or his delegate.

Subpart D. Application for inspection; grant or refusal of inspection.

Subpart E. Inauguration of inspection; official establishment numbers; separation of establishments and other requirements; withdrawal of inspection.

Subpart F. Assignment and authorities of program employees; appeals.

Subpart G. Facilities for inspection; overtime and holiday service; billing establishments.

Subpart H. Sanitation.

Subpart I. Operating procedures.

Subpart J. Ante-mortem inspection.

Subpart K. Post-mortem inspection; disposition of carcasses and parts.

Subpart L. Handling and disposal of condemned or other inedible products at official establishments.

Subpart M. Official marks, devices, and certificates; export certificates; certification procedures.

Except as otherwise required in this subchapter all referrals and instructions relative to export or import are deleted from adoption.

Subpart N. Labeling and containers.

Subpart O. Entry of articles into official establishments; processing inspection and other reinspections; processing requirements.

Subpart P. Definitions and standards of identity or composition.

Subpart Q. Records, registration, and reports.

Subpart S. Transportation; exportation; or sale of poultry or poultry products.

Subpart U. Detention; seizure and condemnation; criminal offenses.

Subpart X. Canning and canned products.

Subpart Y. Nutrition labeling.

Statutory Authority

§ [3.2-5406](#) of the Code of Virginia.

Historical Notes

Derived from VR115-02-19 § 1.3, eff. March 25, 1993; amended, [Volume 13, Issue 12](#) , eff. February 5, 1997; [Volume 22, Issue 24](#) , eff. July 19, 2006; [Volume 24, Issue 09](#) , eff. December 11, 2007; [Volume 29, Issue 16](#) , eff. May 8, 2013.

2VAC5-210-41. Regulatory Requirements.

A. Effective January 6, 2014, the Commissioner of the Department of Agriculture and Consumer Services hereby adopts the following provision of Title 9, Chapter III, Subchapter E of the Code of Federal Regulations:

Part 412. Label approval.

B. The Commissioner of the Department of Agriculture and Consumer Services hereby adopts the following provisions of Title 9, Chapter III, Subchapter E of the Code of Federal Regulations as described in [2VAC5-210-10](#) :

Subchapter E. Regulatory requirements under the federal Meat Inspection Act and the

Poultry Products Inspection Act.

Part 416. Sanitation.

Part 417. Hazard analysis and critical control point (HACCP) systems.

Part 418. Recalls.

Part 424. Preparation and processing operations.

Part 430. Requirements for specific classes of product.

Part 441. Consumer protection standards: raw products.

Part 442. Quantity of contents labeling and procedures and requirements for accurate weights.

Part 500. Rules of practice.

Statutory Authority

§ [3.2-5406](#) of the Code of Virginia.

Historical Notes

Derived from [Volume 22, Issue 24](#) , eff. July 19, 2006; amended, Virginia Register [Volume 24, Issue 09](#) , eff. December 11, 2007; [Volume 26, Issue 20](#) , eff. May 21, 2010; [Volume 29, Issue 16](#) , eff. May 8, 2013; [Volume 30, Issue 09](#) , eff. December 3, 2013.

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FORMS ([2VAC5-210](#))

[Application for Red Meat Permit of Exemption Under the Virginia Meat and Poultry Products Inspection Act, Form VDACS-03072 \(rev. 1/08\).](#)

[Application for State Meat and Poultry Inspection, Form VDACS-03090 \(eff. 2/06\) .](#)

[Application for Registration of Poultry Exemption Under the Virginia Meat and Poultry Products Inspection Act, Form VDACS-03072A \(eff. 11/07\) .](#)

[Establishment Hours of Operation, Form VDACS-03091 \(eff. 2/07\).](#)

[Application/Approval for Voluntary Reimbursable Inspection Service, Form VDACS-03140 \(eff. 6/06\) .](#)